

## Message Text

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DRAFTED BY EUR/EX:JPSULLIVAN:GDM

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R 070641Z AUG 76  
FM SECSTATE WASHDC  
TO AMCONSUL ISTANBUL

UNCLAS STATE 196757

FOR CONSUL GENERAL FROM JOAN M. CLARK EUR/EX

E.O. 11652: N/A

TAGS: APER, ASIG

SUBJECT: USE OF AMERICAN-FLAG AIRLINES

REF: ISTANBUL 2969

1. I THINK YOU WILL BY NOW HAVE RECEIVED PER'S OMNIBUS CABLE ON A NUMBER OF YOUR PERSONNEL PROBLEMS; IT INCLUDES A PARAGRAPH ON PROPOSED TRAVEL BY THE BURKARTS. YOU POSSIBLY HAVE NOT SEEN STATE 193192 TO ANKARA OF AUGUST 4, WHICH BEARS THE SAME SUBJECT TITLE AS THIS TELEGRAM.

2. YOU MIGHT WISH TO HAVE THE EMBASSY RELAY A COPY OF STATE 193132. IT ADDRESSES THE POLICY ISSUE OF USE OF "CERTIFIED SERVICE," THAT IS, AMERICAN-FLAG SERVICE, AND IS EXTREMELY CAUTIONARY ON DEVIATIONS FROM THE "FLY AMERICA" STATUTE. IT POINTS OUT THAT GAO IS GIVEN ULTIMATE AUTHORITY TO DETERMINE WHETHER OR NOT TRAVEL ON FOREIGN AIRLINES IN PARTICULAR CIRCUMSTANCES IS PROPERLY PAYABLE BY THE GOVERNMENT.

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3. IMPLICIT IN ALL THIS IS THE REQUIREMENT FOR THE TRAVELE

HIMSELF TO ANTE UP IF A DECISION IS MADE ON TRAVEL ON NON-US LINES THAT DOES NOT GET GAO APPROVAL. THUS, GOING BACK TO PARAGRAPH 2 OF REFTEL, IT WOULD SEEM IMPRUDENT FOR THE

BURKARTS TO TRAVEL ON A FOREIGN CARRIER FROM ISTANBUL EVEN IF PAA IS OVERBOOKED AND PROPOSES THIS SHIFT THEMSELVES.

4. WE ARE FULLY AWARE OF INCONVENIENCES THAT RESULT, BUT CAN ONLY QUOTE FROM STATE 193192: QUOTE DEPARTMENT REGRETS THAT IT IS UNABLE TO PROVIDE A POSITIVE RESPONSE ...UNQUOTE. HABIB

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